

House Foreign Affairs Committee  
Tom Lantos Human Rights Commission

Hearing  
on  
JUDICIAL INDEPENDENCE IN CENTRAL AMERICA

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**ANSWER**  
TO REP. JAMES P. MCGOVERN (MA)  
FOR THE RECORD

**Schneider**

**Corruption and Human Rights:**

Let me underscore the relationship between Corruption and Human Rights and the magnitude of that concern within the Americas and elsewhere.

Globally the United Nations in reviewing the progress or lack thereof toward the Sustainable Development Goal 16 “Peace, Justice and Inclusive Societies” found that corruption among the police and military was the highest in developing nations.

Now why does the level of corruption concern us if we are worried about human rights.

First corruption is not a victimless crime. The victims are the poor who do not receive health care, education and other basic services met because tax revenues have been squandered or evaded, because bribes have meant that public officials have given contracts to those who have offered the bribes rather than those who can do the job.

With the Covid-19 pandemic affecting every nation, fraud in the procurement of masks, gloves for health workers, or medicines for treating victims translates to more victims and more deaths—and those responsible should be held accountable.

Second because corruption and illicit money is directly linked to drug trafficking, human trafficking and crime. Corruption undermines law enforcement and judiciaries when those responsible for crimes are not held accountable.

Two Guatemalan presidential candidates were arrested by US attorneys and tried for drug-related crimes including seeking campaign financing from cartels. That was last year. This year two Mexican defense ministers were arrested for collusion with cartels.

Third, corruption distorts laws, policies, and institutions to benefit the powerful at the expense of the broad body of citizens. We have seen independent judiciaries under attack in all of the countries of Northern Central America through physical threats and spurious criminal and civil charges. In El Salvador, Guatemala, Honduras and Nicaragua, corrupt groups, at times linking economic, political elites and transnational criminal organizations have sought to corrupt the selection process to get judges who will do their bidding.

Finally, corruption undermines the people's confidence in their government and when those are democracies it diminishes their faith in those democracies. When that occurs, the consequence can be populists coming to power who have no respect for human rights.